Amendments to the Drawings:

Attached is a replacement sheet correcting the table in Figure 4 to refer to a "Labeling Pattern" column.

Attachments:

Replacement Sheet - Figures 3-4

Remarks

The Applicant has carefully reviewed and considered the Examiner's Office Action dated July 18, 2006. Reconsideration is respectfully requested in view of the following comments.

Applicant thanks Examiner Farber for the courtesies extended to his representative during the telephonic interview held on October 4, 2006. During that interview, the Office Action mailed July 18, 2006, U.S. Patent Application Publication No. 2001/0025288 to Yanese and the recited elements of the claims were discussed. In particular, the Examiner stated that he was using a broad interpretation of "classification information pieces". The following comments set forth Applicant's summary of the interview.

By this Amendment, claims 1 and 12 are amended to clarify the "classification information pieces" stored in the labeling pattern storing means and Figure 4 is revised to correctly denote a "Labeling Pattern" column. Accordingly, Claims 1-4, 6-13, 15-17 and 19-21 are pending in the present application.

Claim 12 was rejected under 35 U.S.C. § 112, second paragraph because of a repeated line at the bottom of page 4 and at the top of page 5 of the Amendment. This clerical error has been deleted. Accordingly, it is respectfully submitted that claim 12 is fully definite under 35 U.S.C. § 112, second paragraph and withdrawal of this rejection is respectfully requested.

Claim 19 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter, as stated in the middle of page 3 of the Action. Claim 19 is directed to "A recording medium in which an information partitioning program has been recorded, ...

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which has been described with a code and can be executed by a computer." That is, claim 19 is directed to a computer readable medium. The rejection is confusing because it refers to claim 18 that was canceled in the previous Amendment. It is respectfully submitted that claim 19 is directed to statutory subject and withdrawal and/or clarification of this rejection is requested.

Claims 1-2, 4, 6, 8, 10, 12-13, and 19 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application No. 2001/0025288 to Yanase et al. (hereinafter referred to as "Yanase") for the reasons set forth in the paragraphs spanning pages 4-8 of the Action. This rejection is respectfully traversed.

Independent claim 1 recites four elements: 1) division pattern storing means for storing therein one or plural division patterns defining a predetermined character string which can be represented in a division line; 2) document dividing means for applying the one or plural division patterns stored in the division pattern storing means to the inputted electronic document to divide the electronic document into plural partial documents; 3) labeling pattern storing means for storing therein plural labeling patterns provided with classification information pieces where said classification information pieces define a predetermined character string which specifies classification of a respective partial document; and 4) labeling means for applying the labeling patterns stored in the labeling pattern storing means to the respective partial documents obtained by the division conducted by the document dividing means, respectively, to provide the classification information pieces to the respective partial documents.

Yanase is directed to a device and method for presenting news information. It was the Examiner's position during the interview that paragraph [0084] of Yanase

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discloses the whole process and the paragraph [0087] of Yanase discloses the result of the claimed invention. Yanase simply discloses separating inputted information based on a line of specific characters or a rule (paragraph [0080] of Yanase). What Yanase discloses is that the text and title of an article may be separated from the inputted electronic data and that the divided electronic data is classified based upon its position in the electronic data (see paragraph [0081] - [0082] of Yanase). Yanase fails to disclose the recited labeling pattern storing means for storing therein plural labeling patterns provided with classification information pieces that define a predetermined character string which **specifies classification of the respective partial document**. That is, labeling patterns with classification information pieces are stored as shown in Figure 4 of the present application and recited in independent claims 1 and 12.

To the contrary, Yanase discloses symbols to identify the same article. In other words, the same set of symbols are used to identify the title and text of one article and a different set of symbols are used to identify the title and text of the second article with the same symbols as shown in Figure 8 of Yanase. Thus, even if the Examiner considers these symbols broadly, they do not specify the classification of the respective partial document as set forth in independent claims 1 and 12. Instead, Yanase discloses symbols that are used to distinguish one article from another and not to classify the respective partial documents. Yanase also fails to disclose element 4): labeling means for applying the labeling patterns stored in the labeling pattern storing means to the respective partial documents obtained by the division conducted by the document dividing means, respectively, **to provide the classification information pieces to the respective partial documents**.

It is well established patent law that an anticipatory reference must disclose each and every recited feature of a claim. Consequently, it is respectfully submitted that Yanase cannot anticipate independent claim 1 (which now recites that the classification information pieces are stored with the labeling patterns and specify the classification of a respective partial document) or independent claim 12 (which now clarifies the classification information pieces as in claim 1). Since claims 2, 4-6, 8, and 10 depend from claim 1 and claims 13-14, 16 and 19 include the features of claim 12, these claims also cannot be anticipated by Yanase for the reasons stated above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

Dependent claim 6 recites that the labeling storing means stores plural labeling patterns for an electronic document of one kind. It was the Examiner's position that Yanase discloses multiple articles with titles. However, the recited labeling pattern storing means stores plural labeling patterns provided with classification information pieces where said classification information pieces define a predetermined character string which specifies classification of a respective partial document. The fact that Yanase discloses multiple articles with titles does not disclose plural labeling patterns with classification information pieces that specifies the classification of a respective partial document. As argued above, Yanase simply discloses a different set a symbols for a different article and does not provide "classification information pieces" that specifies that this is the title and another classification information piece that specifies that body of the article. That is, Yanase discloses the same symbol to identify the title and the text of an article. This is not the recited "classification information pieces" of the labeling storing means. Accordingly, for the additional reasons given above, dependent claim 6 is

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not anticipated by Yanase.

Claims 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yanase for the reasons set forth in paragraph 12, spanning pages 8-10 of the Action. This rejection is respectfully traversed.

The present invention relates to a technology for optimally separating portions of an electronic document from an inputted electronic document that does not include distinct structure information, such as HTML tags or character font information. This is described in the present specification from page 2, line 10 to page 3, line 2. Yanase does not address the problems described in the Description of Related Art as Yanase discloses news information, which has separators between articles. That is, Yanase is characterized in that the types of articles or electronic magazine contents are based upon the differences in the "document data structure information" corresponding to the individual sets of content and not the recited division pattern storing means, document dividing means based on the stored division patterns and labeling of the patterns including "classification information pieces" that classifies the partial document, as recited in independent claims 1 and 12. Accordingly, it is respectfully submitted that one of ordinary skill in the art would not have considered modifying Yanase to achieve the claimed invention as there is no teaching of the recited features of independent claims 1 and 12. Withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

Claims 9, 11, 15, 17, 20 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yanase in view of U.S. Patent Application Publication No. 2003/0007397 to Kobayashi et al. (hereinafter referred to as "Kobayashi") for the reasons set forth in paragraph 13, spanning pages 10-12 of the Action. This rejection is

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respectfully traversed.

The secondary reference to Kobayashi is directed to a document processing apparatus, document processing method, document processing program and recording medium. Similar to the prior art in the present application, Kobayashi employs structure information within the electronic document (e.g., tags) to divide the tagged areas into blocks. That is, Kobayashi relates to a method for cutting out slices of data so as to facilitate the reading aloud of text. Kobayashi does not disclose the division pattern storing means, document dividing means, label pattern storing means for storing therein plural labels and the labeling means of claim 1 or the document dividing step and labeling step of claim 12. Consequently, even if combined Yanase and Kobayashi would not result in the claimed invention of claims 9, 11, 15 or 17. Withdrawal of this rejection under 35 U.S.C. §103 (a) is respectfully requested.

With respect to independent claims 20 and 21, the Action acknowledges that Yanase fails to disclose, teach or suggest "discriminating patterns for discriminating the kind of electronic data inputted". However, it is the Examiner's position that Kobayashi's disclosure in Figure 5 and paragraphs [0106]-[0116] would suggest to one of ordinary skill in the art the ability to determine the format of the document by character and input text data and thus, one of ordinary skill in the art would modify Yanase to have a discrimination pattern storing means and a document kind discriminating means. Nowhere does Kobayashi disclose, let alone teach or suggest, the recited document kind discriminating means for referencing to the stored discrimination patterns to discriminate the electronic data inputted as required by the claims. Moreover, Kobayashi fails to disclose, teach or suggest the recited "labeling step [providing] classification information

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pieces to respective partial documents using discriminating labeling patterns for the document kind" as required in claim 21.
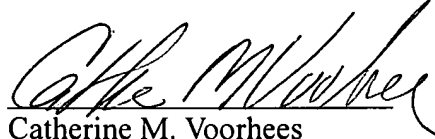
In view of the above, it is submitted that Yanase either alone or in combination with Kobayashi does not disclose or suggest the following features of independent claims 1 and 12: 1) division pattern storing means, document dividing means, label pattern storing means for storing therein plural labels and the labeling means of claim 1; and 2) the document dividing step and the labeling step of claim 12. Kobayashi also fails to disclose the elements of claims 20 and 21 as argued above. It is only Applicant's own disclosure that addresses the problem of providing an information partitioning apparatus which can divide respective information pieces in an electronic document which does not have clear structural information. Thus, it is respectfully submitted that the Action over extends the disclosure of the applied references and relies on impermissible hindsight to either indicate that passages of the applied references disclose the recited features of the claims or to modify the base reference as the applied references are not directed to the claimed invention.

For the above stated reasons, it is submitted that all of the claims are allowable over the prior art of record and are in condition for allowance. Therefore, it is respectfully submitted that this Amendment After Final Rejection places the application in condition for allowance; does not raise new issues that require further consideration and/or search; and do not raise the issue of new matter. Accordingly, Applicant respectfully request that this Amendment After Final Rejection be entered and that this application be passed to issuance.

Should the Examiner believe that a conference would advance the prosecution of

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this application, he is encouraged to telephone the undersigned counsel to arrange such a conference.

Respectfully submitted,

Date: November 17, 2006

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